

Message Text

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ACTION NEA-16

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 OMB-01 AID-20 DRC-01 /114 W

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R 051655Z SEP 74

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 3715

C O N F I D E N T I A L NEW DELHI 11836

E. O. 11652: GDS

TAGS: EAID, PINS, IN

SUBJECT: FOREIGN ASSISTANCE ACT SECTION 32

-- POLITICAL PRISONERS

REF: NEW DELHI 10120

1. I WOULD LIKE TO CALL YOUR ATTENTION TO OUR NEW DELHI 10120 OF 31 JULY ON POLITICAL PRISONERS. I HAVE JUST READ A PETITION BY SOME 300 FOREIGN ACADEMICS AND INTELLECTUALS AGAINST THE DETENTION OF "TENS OF THOUSANDS" OF INDIAN POLITICAL SUSPECTS. IT HAS BEEN CARRIED IN A LEFTIST PUBLICATION IN CALCUTTA AND THE NAMES WE RECOGNIZE ARE OF A SIMILAR BENT. THE FACT IS THAT THERE ARE MANY NAXALITES IN JAIL IN CALCUTTA AND WE READ ABOUT PREVENTIVE DETENTION BEING USED TO PROTECT MRS. GANDHI WHEN SHE TRAVELS ABOUT INDIA. AND IT IS HARD TO TELL WHEN THIS IS DONE TO KEEP PEOPLE WHO PRACTICE VIOLENCE FOR POLITICAL PURPOSES OUT OF THE WAY AND WHEN IT IS PERPETRATED AGAINST POLITICAL PRISONERS. THERE IS THAT PROBLEM OF DEFINITION.

2. NEVERTHELESS, WE CONTINUE TO HOLD TO OUR ORIGINAL ASSESSMENT. WE ARE NOT PREPARED TO SWEAR THERE ARE NO "POLITICAL PRISONERS" GIVEN THE SAME DEFINITIONS OF THAT TERM. BUT WE STILL BELIEVE THAT THE GOI DOES NOT
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ORDINARILY RESORT TO ARBITRARY ARREST AND IMPRISONMENT

FOR MERE POLITICAL DISSENT.

3. THE COMMUNIST PARTY OF INDIA (CPI) AND ESPECIALLY COMMUNIST PARTY/MARXIST (CPM) ARE MOST UNHAPPY OVER THE CONTINUED EXISTENCE OF DETAINEES, MOST OF WHOM ARE THEIR CADRES AND MOST OF WHOM WERE AT THE LEAST STRONGLY SUSPECTED OF INVOLVEMENT IN VIOLENT ACTIVITIES IN INDIA. THE GOI RESORT TO TEMPORARY DETENTION OF PEOPLE FREQUENTLY WHEN RIOTING, DISORDER, COMMUNAL DISTURBANCES OR STRIKES ARE IN PROCESS, BUT THESE ARE USUALLY RELEASED IN A MATTER OF DAYS OR WEEKS UNLESS THERE ARE SPECIFIC VIOLATIONS OF LAWS INVOLVED. WE DON'T PARTICULARLY CARE FOR A NUMBER OF INDIAN LAWS. THE HANDLING OF THE HARCOS/ FLETCHER CASE UNDER THE OFFICIAL SECRETS ACT HAS BEEN AN EXCELLENT ILLUSTRATION. NOR ARE WE AT ALL CONFIDENT THAT IN THE COMING MONTHS OR YEARS THE GOI WILL NOT RESORT INCREASINGLY TO DETENTION AND REPRESSION IN ORDER TO PROTECT ITSELF IN POWER AND DEAL WITH PROBLEMS CAUSED BY ECONOMIC AND POLITICAL UNREST.

3. THEREFORE, WE CERTAINLY SHOULD NOT TELL CONGRESS THAT THERE IS NDNCH#PROBLEM IN INDIA. AT THE SAME TIME, THIS WOULD BE THE WORST TIME, JUST BEFORE THE SECRETARY'S VISIT, TO MARCH IN THE THE GOI AND TELL THEM ABOUT OUR CONCERNS OVER POLITICAL PRISONERS. THERE COULD BE A TIME FOR THIS, BUT THIS ISN'T IT. MOYNIHAN

NOTE BY OC/T: #AS RECEIVED.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLITICAL REPRESSION, FOREIGN ASSISTANCE, POLITICAL PRISONERS, US CONGRESSIONAL PRESENTATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 05 SEP 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: shawdg
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974NEWDE11836
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740246-0998
From: NEW DELHI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740972/aaaacjfh.tel
Line Count: 89
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION NEA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: NEW DELHI 10120
Review Action: RELEASED, APPROVED
Review Authority: shawdg
Review Comment: n/a
Review Content Flags:
Review Date: 16 AUG 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16-Aug-2002 by cunninfx>; APPROVED <27 FEB 2003 by shawdg>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: FOREIGN ASSISTANCE ACT SECTION 32 -- POLITICAL PRISONERS
TAGS: EAID, PINS, IN
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005